

### REMARKS

In the non-final office action mailed April 15, 2005, the Examiner examined claims 17-31, and, of those, rejected claims 17-31. Claims 17-31 are pending, of which claims 17, 22 and 27 are independent. Claims 18, 20, 25 and 30 have been amended. No new matter has been introduced. Applicant requests reconsideration of the rejected claims in view of the amendments to the claims and the arguments below. Accordingly, applicant submits that all of the claims 17-31 are in condition for allowance.

#### **Claim Objections**

Claims 18, 20, 25 and 30 have been amended in response to the Examiner's objection. Applicant respectfully requests that the Examiner withdrawal the objection.

#### **Claim Rejections – 35 U.S.C. § 102**

The Examiner rejected claims 17-31 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2002/0078072 A1 (Tan). In particular, the Examiner asserts that Tan shows all of the limitations recited in claim 17. See Office action of April 15, 2005 at page 2, line 20 to page 3, line 4.

Applicant requests reconsideration and withdrawal of this rejection because the Tan reference is not statutory prior art under § 102 for any of the claims in the present application. The present application was filed on January 2, 2005 as a divisional application of U.S. Application No. 09/857,864 filed June 12, 2001. The present application claimed priority under 35 U.S.C. § 119 to Application No. 99120009.8 filed in the European Patent Office (EP) on October 14, 1999. The priority claim under 35 U.S.C. § 119 was acknowledged in the Official Filing Receipt (copy enclosed). All of the pending claims 17-31 of the present application are supported by the disclosure of the priority EP application filed October 14, 1999.

In contrast, Tan was filed on December 14, 2000 as a non-provisional application of a provisional application filed on January 4, 2000. Assuming for the sake of argument only, that the subject matter identified in Tan is supported by the provisional application, the earliest possible filing date for that subject matter is January 4, 2000, which was after October 14, 1999,

which is the date of EP application to which the present application claims priority. Thus, Tan cannot constitute anticipatory prior art to the present application.

Therefore, for at least the reasons described above, applicant requests reconsideration and withdrawal of the rejection of claims 17-31. Accordingly, applicant requests that these claims be allowed.

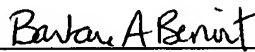
### **Conclusion**

It is believed that all of the pending issues have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this reply should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this reply, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

No fee is believed due. Please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

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